

U.S. Department of Justice



United States Attorney
Eastern District of New York

NMA:RN:AL:sw
F.#2010R00195
Disc. 36

271 Cadman Plaza East
Brooklyn, New York 11201

February 10, 2012

Via ECF

All Defense Counsel

Re: United States v. Theodore Persico, Jr., et al.,
Criminal Docket No. 10-147 (S-3) (SLT)

Dear Counsel:

Pursuant to Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes the following supplemental discovery with respect to the above-captioned case. The government hereby reiterates its request for reciprocal discovery.

The following documents are available at First Choice Copy. You may obtain a copy of these documents by contacting Joe Meisner at (718) 381-1480 x212, or jmeisner@nyc.rr.com. Please reference print order number **60114**.

STATEMENTS OF THE DEFENDANTS

1. Consensual Title-III Recordings

Discovery Exhibit 280 consists of consensually recorded telephone conversations made by a cooperating witness. The recordings contained on the disks labeled Bates Range 37254 through 37260 are being provided pursuant to 18 U.S.C. § 3500 and Rule 26.2 of the Federal Rules of Criminal Procedure, at this early date as a courtesy. The government is also producing these materials on the understanding that defense counsel will comply with the terms of the government's protective order, which was issued by the Court on July 29, 2011.

DESCRIPTION	BATES RANGE
CD containing consensually recorded telephone calls from (732) 740-6907, dated 6/27/06 - 8/23/06	37254
CD containing consensually recorded telephone calls from (732) 740-6907, dated 8/22/06 - 9/8/06	37255

DESCRIPTION	BATES RANGE
CD containing consensually recorded telephone calls from (908) 966-0983, dated 6/20/06 - 7/12/06	37256
CD containing consensually recorded telephone calls from (908) 966-0983, dated 7/10/06 - 7/28/06	37257
CD containing consensually recorded telephone calls from (908) 966-0983, dated 7/27/06 - 8/17/06	37258
CD containing consensually recorded telephone calls from (908) 966-0983, dated 8/17/06 - 9/1/06	37259
CD containing consensually recorded telephone calls from (908) 966-0983, dated 9/1/06 - 9/8/06	37260
CD containing consensually recorded telephone conversations with Edward Garofalo	37261
CD containing consensually recorded telephone conversations with Alicia Dimichele	37262
CD containing consensually recorded conversations on telephone lines used at 422 Spencer Street, and may contain statements of Edward Garofalo and/or Alicia Dimichele	37263

Discovery Exhibit 281 is a CD containing telephone conversations recorded with Michael Persico's consent pursuant to the terms of his bail conditions, (Bates number 37264).

DOCUMENTS AND OTHER TANGIBLE EVIDENCE

DX #	Description	Bates Range
282	CD containing copies of items seized from Anthony Russo at the time of his arrest	37265
283	CD containing records for telephone number (917) 567-8741	37266

Please contact me if you have any questions or additional requests.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/
Samantha Ward
Paralegal Specialist
(718) 254-6142

cc: Clerk of the Court (SLT) (by ECF)